

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO. 91-CV-75815
HONORABLE GEORGE CARAM STEEH

WALTER COLLIER,

Defendant,

and

JP MORGAN CHASE BANK, N.A.,

Garnishee.

ORDER DISMISSING AS MOOT DEFENDANT'S REQUEST FOR HEARING
AND GRANTING DEFENDANT'S OBJECTION TO WRIT OF GARNISHMENT

Plaintiff sought and obtained a Writ of Continuing Garnishment against the property of Defendant held in a JP Morgan Chase Bank, N.A. ("Chase" or the "Garnishee") account, to satisfy a debt owed by Defendant currently totaling \$2,279.11. (Doc. #21). The Garnishee responded to Plaintiff's Writ of Continuing Garnishment by stating that Defendant's funds in the Chase account are protected Social Security funds. (Doc. #22).

Now before the court is Defendant's Request For Hearing About The Answer Filed By The Garnishee. (Doc. #23). Defendant's request for hearing contends that the debt was paid off in 1999, and that he is exempt from garnishment because his funds arise from Social Security benefits. Plaintiff responded to Defendant's request for hearing acknowledging that no funds are being held pursuant to the Writ of Continuing Garnishment

because the only funds in Defendant's Chase account are protected funds that are not subject to garnishment. (Doc. #24). Given Plaintiff's acknowledgment "that the funds in the Chase account are exempt from garnishment, and therefore are not subject to seizure to satisfy Plaintiff's Judgment," see Doc. #24 at 2 (emphasis in original), Defendant's request for a hearing is DISMISSED AS MOOT. Defendant's objection to the Writ of Continuing Garnishment on the grounds that the funds in his Chase account are protected Social Security funds is GRANTED.

IT IS SO ORDERED.

Dated: June 30, 2015

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on June 30, 2015, by electronic and/or ordinary mail and also on Walter Collier, 19360 Gilchrist, Detroit, MI 48235.

s/Barbara Radke
Deputy Clerk